

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD M. FLEMING,)	4:10CV3217
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

This matter is before the court on Petitioner's Motion for Leave to Proceed In Forma Pauperis. (Filing No. 1.) Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Petitioner's financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that: the Motion for Leave to Proceed in Forma Pauperis (filing no. 1) is provisionally granted and Petitioner will not be required to pay the \$5.00 fee at this time.

DATED this 17th day of November, 2010.

BY THE COURT:

Richard G. Koff
United States District Judge

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